

IN THE MATTER between **Behchoko Ko Gha Kaodee**, Applicant, and **Sammy Mantla**, Respondent;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act") and amendments thereto;

AND IN THE MATTER of a Hearing before, **Adelle Guigon**, Deputy Rental Officer, regarding a rental premises within **the town of Behchoko in the Northwest Territories**.

BETWEEN:

BEHCHOKO KO GHA KAODEE

Applicant/Landlord

- and -

SAMMY MANTLA

Respondent/Tenant

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondent must pay to the applicant rental arrears in the amount of \$4,258.50 (four thousand two hundred fifty-eight dollars fifty cents).
2. Pursuant to section 41(4)(b) of the *Residential Tenancies Act*, the respondent must pay his rent on time in the future.

DATED at the City of Yellowknife in the Northwest Territories this 22nd day of May 2015.

Adelle Guigon
Deputy Rental Officer

IN THE MATTER between **Behchoko Ko Gha Kaodee**, Applicant, and **Sammy Mantla**, Respondent.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

AND IN THE MATTER of a Hearing before **Adelle Guigon**, Deputy Rental Officer.

BETWEEN:

BEHCHOKO KO GHA KAODEE

Applicant/Landlord

-and-

SAMMY MANTLA

Respondent/Tenant

REASONS FOR DECISION

<u>Date of the Hearing:</u>	April 30, 2015
<u>Place of the Hearing:</u>	Behchoko, Northwest Territories
<u>Appearances at Hearing:</u>	Michael Keohane, representing the applicant
<u>Date of Decision:</u>	April 30, 2015

REASONS FOR DECISION

An application to a rental officer made by Behchoko Ko Gha Kaodee as the applicant/landlord against Sammy Mantla as the respondent/tenant was filed by the Rental Office February 16, 2015. The application was made regarding a subsidized public housing residential tenancy agreement for the rental premises known as Unit #9-9plex in Behchoko, Northwest Territories. The applicant personally served a copy of the filed application on the respondent February 20, 2015.

The applicant alleged the respondent had accumulated rental arrears and sought an order for payment of the arrears and that future rent be paid on time. Evidence submitted is listed in Appendix A attached to this order.

A hearing was scheduled for April 30, 2015, in Behchoko, Northwest Territories. Mr. Michael Keohane appeared representing the applicant. Mr. Sammy Mantla was sent a notice of attendance by registered mail which was signed for April 14, 2015. Mr. Mantla did not appear at hearing, nor did anyone appear on his behalf. The hearing proceeded in his absence pursuant to section 80(2) of the *Residential Tenancies Act* (the Act).

Mr. Keohane provided evidence and testimony that Mr. Mantla has been a tenant in subsidized public housing since November 2013. All rents to date have been assessed subsidies. The last payment was received from Mr. Mantla on May 30, 2014, in the amount of \$150. The current rental arrears claimed amount to \$4,258.50 as supported by the lease balance statement entered into evidence.

Mr. Keohane advised that Mr. Mantla speaks Tlicho as such no written notices have been forwarded to Mr. Mantla respecting his rental arrears. However, the local tenant relations officer speaks Tlicho and has communicated repeatedly with Mr. Mantla on this matter. At the time of filing the application to a rental officer, the maximum monthly rent was applied for February 2015 as Mr. Mantla had not yet attended the office to report his household income for January; after being served with the filed application, Mr. Mantla did attend the office and reported his income to the tenant relations officer. He did not mention anything about paying his rent.

Mr. Keohane further advised that other than the rental arrears Mr. Mantla is a good tenant who does not cause any problems. The applicant is not seeking termination of the tenancy agreement and Mr. Keohane reiterated their request for an order for payment of the rental arrears and that future rent be paid on time.

Tenancy agreement

I am satisfied that a valid tenancy agreement for subsidized public housing is in place between the parties in accordance with the Act.

Rental arrears

The lease balance statements provided into evidence represent the landlord's accounting of monthly assessed rent and payments received against the respondent's rent account. I am satisfied the statements accurately represent the current status of the respondent's rent account. I find the respondent has accumulated rental arrears in the amount of \$4,258.50.

An order will issue requiring Mr. Sammy Mantla to pay rental arrears in the amount of \$4,258.50 and to pay his rent on time in the future.

Adelle Guigon
Deputy Rental Officer

APPENDIX A

Exhibits

Exhibit 1: Residential tenancy agreements dated: March 5, 2014; November 26, 2013

Exhibit 2: Lease balance statement dated February 10, 2015

Exhibit 3: Tenant ledger card for security deposit

Exhibit 4: Lease balance statement dated April 29, 2015